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DIV SOLID WASTE MGT

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Group No. _____

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE ENVIRONMENTAL FIELD OFFICE**

711 R. S. GASS BOULEVARD
NASHVILLE, TENNESSEE 37243

PHONE (615) 687-7000 STATEWIDE 1-888-891-8332 FAX (615) 687-7078

March 30, 2012

Certified Mail
7011 0110 0002 0049 9636
Return Receipt Requested

Mr. Edward Wansing
The Compost Company
102 Eisenhower Drive
Ashland city, TN 37015

RE: Operation Not in Compliance with Notification
The Compost Company / SWP 11-1454

Dear Mr. Wansing:

On March 29, 2012, in response to complaints received in the Nashville Field Office, personnel of the Division of Solid Waste Management, Tennessee Department of Environment and Conservation conducted an investigation at the referenced facility located at 3643 Highway 12, Ashland City, TN.

Observations made during this site investigation confirmed the improper operation of the facility relative to State regulations and the approved facility waste processing notification. Specifically, the following conditions were noted:

- The compost windrows were not covered with durable sheeting as required by the approved notification.
- The compost processing area is not paved as required by regulation.
- Liquid from the composting waste has pooled between the windrows. This condition violates the regulatory requirement to provide an approved means for managing all liquids which drain from solid wastes at the facility.

It should also be noted that the complaints against the referenced facility allege an offensive odor comes from the site. The most recent visit to the site confirmed the presence of an offensive odor from the site. The source of the odor is believed to be the leachate that is present and the uncovered windrows. Proper operation of the facility should greatly reduce the presence of offensive odors.

Tennessee Code Annotated Section 68-211-104(3) and 68-211-104(4) state:

- (3) It is unlawful to construct, alter, or operate a solid waste processing or disposal facility or site in violation of the rules, regulations, or orders of the commissioner or in such a manner as to create a public nuisance.
- (4) It is unlawful to transport, process, or dispose of solid waste in violation of this chapter, the rules and regulations established under the provisions of this chapter or in violation of the orders of the commissioner or board.

All improper activities at this registered facility must cease immediately. In order for the facility to maintain the authorization to operate under the Solid Waste Processing rules, it must comply with all the applicable provisions of Rule 1200-1-7-.02(1)(c) and the approved notification. To minimize the potential of this Office pursuing enforcement actions, the facility must be brought into compliance within 21 days of receiving this letter. This Office will conduct follow-up investigations to monitor the status of your efforts.

There is also a concern regarding the proposed pavement that is intended for the facility and the regular operating protocol. The notification indicates compacted gravel will be used to meet the requirement that waste handling occurs on paved surfaces. Because compacted gravel does not prevent waste constituents from entering the environment, the gravel would only be acceptable if it were underlain by an impermeable layer of some sort. This could be a sheet of plastic if it were adequately protected from puncture and a mechanism were provided that allowed for the collection of liquids captured by the impermeable layer. Prior to installing any kind of pavement layer, please contact Mr. Brad Martin to discuss an acceptable configuration.

So that this Office can obtain an understanding of the way The Compost Company will operate, we request that you inform us of any times and dates, in the near future, that someone will be on-site operating the facility. Our staff would like to meet the operators at the site and become familiar the operation.

If you have any questions concerning this correspondence, please feel free to contact Frank Padovich, Brad Martin or me at 615-687-7000. Also, a copy of the form used to document the inspection has been attached for your reference.

Sincerely,



Al Majors, Environmental Field Office Manager
Nashville Environmental Field Office
Division of Solid Waste Management

Attachment: SWP Facility Evaluation Checklist

cc: DSWM/Central Office with attachment
NFO Staff



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
SOLID WASTE PROCESSING (SWP) FACILITY &
TRANSFER FACILITY (TRF) EVALUATION**

NAME OF SITE <i>Compost Company</i>	REGISTRATION NUMBER <i>SWP 11-1454</i>	DATE <i>3-29-12</i>
LOCATION (physical) <i>3643 Hwy 12</i>		TIME <i>10:45 AM</i>
OWNER/OPERATOR <i>Wansing</i>	TYPE OF EVALUATION: <input type="checkbox"/> COMPLETE <input type="checkbox"/> FOLLOW-UP <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> OTHER	
VIOLATION	RULE CITATION	CODE V1 V2
SWP:TRF: Inadequate vector control	1200-1-7-.02(1)(c)1(i)(II)I	01
SWP:TRF: Potential for explosions or uncontrolled fires	1200-1-7-.02(1)(c)1(i)(II)II	02
SWP:TRF: Potential for releases of solid waste	1200-1-7-.02(1)(c)1(i)(II)III	03
SWP:TRF: Unauthorized or uncontrolled access	1200-1-7-.02(1)(c)1(i)(II)IV	04
SWP:TRF: Inadequate artificial or natural barrier	1200-1-7-.02(1)(c)1(i)(III)	05
SWP:TRF: Inadequate information sign	1200-1-7-.02(1)(c)1(i)(IV)	06
SWP:TRF: Personnel not present during operating hours	1200-1-7-.02(1)(c)1(i)(V)	07
SWP:TRF: Inadequate employee facilities	1200-1-7-.02(1)(c)1(i)(VI)	08
SWP:TRF: Unsatisfactory access roads/parking areas	1200-1-7-.02(1)(c)1(i)(VII)	09
SWP:TRF: Waste handling not conducted on paved surfaces	1200-1-7-.02(1)(c)1(i)(VIII)	10
SWP:TRF: Improper storage of solid waste	1200-1-7-.02(1)(c)1(i)(IX)	11
SWP:TRF: Evidence of burning	1200-1-7-.02(1)(c)1(i)(X)	12
SWP:TRF: Unapproved scavenging of waste	1200-1-7-.02(1)(c)1(i)(XI)	13
SWP:TRF: Unsatisfactory litter control	1200-1-7-.02(1)(c)1(i)(XII)	14
SWP:TRF: Unapproved discharge of liquid residue	1200-1-7-.02(1)(c)1(i)(XIII)	15
SWP:TRF: Unapproved handling of special wastes	1200-1-7-.02(1)(c)1(i)(XIV)	16
SWP:TRF: No provision for alternative waste handling	1200-1-7-.02(1)(c)1(i)(XV)	17
SWP:TRF: Inadequate fire protection	1200-1-7-.02(1)(c)1(i)(XVI)	18
SWP: Unapproved disposal of waste residue	1200-1-7-.02(1)(c)1(i)(XVII)	19
SWP:TRF: Improper closure	1200-1-7-.02(1)(c)1(i)(XVIII)	20
SWP:TRF: Unauthorized waste accepted	1200-1-7-.02(1)(c)3	21
SWP:TRF: Unsatisfactory records or reports	1200-1-7-.02(1)(c)1	22
SWP:TRF: Authorization letter not available	1200-1-7-.02(1)(c)1	23
SWP:TRF: Operation does not comply with notification	1200-1-7-.02(1)(c)3	24 <i>X</i>
COMMENTS: <i>24 - leachate seen between some windrows and at lower elevations - no windrow covers used. Also, no visible homogeneity of Feedstocks. Odor is very disturbing. No one present.</i>		
PERSON INTERVIEWED (Signature)	INSPECTED BY (Signature) <i>Frank Librich</i>	
TITLE	TITLE <i>ES</i>	
COMPLIANCE DATE <i>To be determined</i>	WEATHER CONDITIONS <i>Fair</i>	

Distribution: Facility - Canary

Field Office - White

Central Office - XC

